

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Pennsylvania National Mutual Casualty
Insurance Company,
 Petitioner

v.

New England Reinsurance Corporation and
Hartford Fire Insurance Company,
 Respondents

No.

**PENNSYLVANIA NATIONAL MUTUAL CASUALTY INSURANCE COMPANY’S
PETITION TO CONFIRM ARBITRATION AWARD**

Petitioner, Pennsylvania National Mutual Casualty Insurance Company (“Penn National”), hereby petitions this Court pursuant to the Federal Arbitration Act to confirm an arbitration award. In support of this Petition, the Penn National avers the following:

1. Penn National and New England Reinsurance Corporation and Hartford Fire Insurance Company (collectively “Hartford”) are parties to reinsurance agreements containing arbitration provisions. (A true and correct copy of the reinsurance agreements are being submitted under seal as Exhibit A.)

2. Pursuant to the arbitration provisions Penn National and Hartford submitted a dispute arising under the reinsurance agreements to a panel of three arbitrators (“Panel”) selected in accordance with the arbitration provision.

3. As part of the arbitration process, the Panel entered a stipulated Confidentiality Agreement and Protective Order governing the proceedings. (A true and correct copy of the Confidentiality Agreement and Protective Order is being submitted under seal as Exhibit B.)

4. The Confidentiality Agreement and Protective Order governs the use of Arbitration Information as defined by the Confidentiality Agreement and Protective Order. (See Exhibit B at ¶ 2.) All parties, with the concurrence of the Panel, have thus confirmed their agreement and intention that the Final Award in this arbitration (and all Arbitration Information, as defined) should remain private and confidential.

5. The reinsurance agreements, which were exchanged in discovery and were exhibits in the arbitration proceedings, as well as the award are Arbitration Information under the Confidentiality Agreement and Protective Order.

6. In the event of, *inter alia*, a petition to confirm the award issued by the Panel, the arbitration the Confidentiality Agreement and Protective Order require filing Arbitration Information under seal. (See, Exhibit B at ¶ 3.)

7. Penn National and Hartford agreed to a format for submitting the dispute to the Panel, which included a discovery process, the submission of briefs, exhibits, depositions, and authorities submitted by the parties, and a five day hearing at which documentary evidence was received, and witnesses and argument of counsel were heard.

8. Following deliberation, the Panel issued an Award on March 17, 2018. (A true and correct copy of the award is being submitted under seal as Exhibit C.)

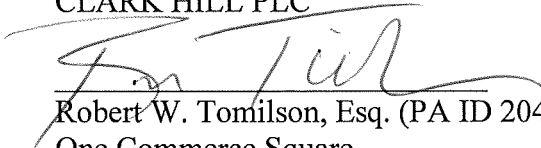
9. Penn National hereby petitions this Court to confirm the Panel's Award of March 17, 2018.

WHEREFORE, Petitioner, Pennsylvania National Mutual Casualty Insurance Company, respectfully requests that this Court confirm the Award of the arbitrators and enter judgment thereon and for such other relief as the Court deems appropriate.

Respectfully Submitted,

CLARK HILL PLC

Dated: April 30, 2018



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